

UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

ANUPAMA BEKKEM, Plaintiff,

v.

DR. DAVID J. SHULKIN, SECRETARY, U.S.
DEPT. OF VETERANS AFFAIRS, Defendant.

Case No.: CIV-14-996-HE

BILL OF COSTS

Judgment having been entered in the above entitled action on 07/21/2017 against ANUPAMA BEKKEM,
Date
 the Clerk is requested to tax the following as costs:

Fees of the Clerk	\$	
Fees for service of summons and subpoena		265.00
Fees for printed or electronically recorded transcripts necessarily obtained for use in the case		6,494.85
Fees and disbursements for printing		
Fees for witnesses (<i>itemize on page two</i>)		\$911.84
Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case.		3,262.50
Docket fees under 28 U.S.C. 1923		20.00
Costs as shown on Mandate of Court of Appeals		
Compensation of court-appointed experts		
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828		
Other costs (<i>please itemize</i>)		
	TOTAL	\$ 10,954.19

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

Declaration

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:



Electronic service



First class mail, postage prepaid



Other: _____

s/ Attorney: s/ Tom MajorsName of Attorney: Tom Majors, Asst. U.S. AttorneyFor: DR. DAVID J. SHULKIN, SECRETARY, U.S. DEPT. OF VETERANS AFFAIRS*Name of Claiming Party*Date: 08/04/2017

Taxation of Costs

Costs are taxed in the amount of _____ and included in the judgment.

Carmelita Reeder Shinn

Clerk of Court

By: _____

*Deputy Clerk*_____
Date

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Ann Davidson, Oklahoma City, OK	1	40.00					\$40.00
Dr. John Grippi, Buffalo, NY	1	40.00					\$40.00
Kyle Inhofe, Oklahoma City, OK	1	40.00					\$40.00
Elizabeth (Betsy) Lancaster, Little Rock, AR (see Exh. 4 attached)	1	631.84					\$631.84
Dr. George Malatinszky, Oklahoma City, OK	1	40.00					\$40.00
Dr. Cesar Ramirez, Oklahoma City, OK	1	40.00					\$40.00
Total includes fee for witness A. Bekkem on 2nd page					TOTAL		\$911.84

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

“Sec. 1924. Verification of bill of costs.”

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys’ Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

UNITED STATES DISTRICT COURT

Witness Fees (computation, cf. 28 U.S.C. 1821 for statutory fees)							
NAME , CITY AND STATE OF RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
Plaintiff A. Bakkem	2	80.00					\$80.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
TOTAL							

NOTICE

Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:

"Sec. 1924. Verification of bill of costs."

“Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.”

See also Section 1920 of Title 28, which reads in part as follows:

“A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree.”

The Federal Rules of Civil Procedure contain the following provisions:

RULE 54(d)(1)

Costs Other than Attorneys' Fees.

Unless a federal statute, these rules, or a court order provides otherwise, costs — other than attorney's fees — should be allowed to the prevailing party. But costs against the United States, its officers, and its agencies may be imposed only to the extent allowed by law. The clerk may tax costs on 14 day's notice. On motion served within the next 7 days, the court may review the clerk's action.

RULE 6

(d) Additional Time After Certain Kinds of Service.

When a party may or must act within a specified time after service and service is made under Rule5(b)(2)(C), (D), (E), or (F), 3 days are added after the period would otherwise expire under Rule 6(a).

RULE 58(e)

Cost or Fee Awards:

Ordinarily, the entry of judgment may not be delayed, nor the time for appeal extended, in order to tax costs or award fees. But if a timely motion for attorney's fees is made under Rule 54(d)(2), the court may act before a notice of appeal has been filed and become effective to order that the motion have the same effect under Federal Rule of Appellate Procedure 4(a)(4) as a timely motion under Rule 59.

DECLARATION PURSUANT TO 28 U.S.C. § 1746

I verify under penalty of perjury, pursuant to 28 U.S.C. §§ 1746 and 1924, that the items on the preceding Bill of Costs are correct, have been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed.

Executed August 4, 2017

s/Tom Majors
Assistant U.S. Attorney

MARK A. YANCEY
United States Attorney

/s/ Tom Majors
SCOTT MAULE, OBA 37160
TOM MAJORS, OBA 5637
DANIEL CARD, OBA 30034
Assistant U.S. Attorneys
210 Park Avenue, Suite 400
Oklahoma City, OK 73102
(405) 553-8700 Fax: (405) 553-8885
scott.maule@usdoj.gov
tom.majors@usdoj.gov
daniel.card@usdoj.gov

Exhibits:

Ex. 1	Invoices for Depositions
Ex. 2	Gov't Copy Costs
Ex. 3	Service Fee Invoices
Ex. 4	Lancaster Travel Voucher
Ex. 5	Docket Sheet

CERTIFICATE OF SERVICE

X I hereby certify that on August 4, 2017, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the electronic records currently on file, the Clerk of Court will transmit a notice of Electronic Filing to the following ECF registrants:

Amber L. Hurst, Esq.
Mark Hammons, Esq.
Leah M. Roper, Esq.
Hammons, Gowens, Hurst & Associates
325 Dean A. McGee Avenue
Oklahoma City, OK 73102
Phone: 405-235-6100
Fax: 405-235-6111
Email: amberh@hammonslaw.com
Email: leah@hammonslaw.com

____ I hereby certify that on August 4, 2017, the attached document(s) were served by U.S. Mail on the following, who are not registered participants on the ECF System.
N/A

/s/ Tom Majors
Assistant U.S. Attorney